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EDUCATION WEEK

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Tennessee Backs Drug-Use Tests In Public Schools

Statewide Policy Said To Be First of Its Kind

By Tom Mirga

Tennessee lawmakers have passed a bill that would permit school districts to force students suspected of abusing drugs to submit to drug testing.

Several districts across the country have adopted student drug-testing policies, but no state prior to the Tennessee lawmakers' April 29 vote had enacted one on a statewide basis. The Mississippi Senate approved a similar bill in March, but it died in the House education committee.

Although a spokesman for Gov. Ned R. McWherter said the Governor would not pass judgment on the bill until it was reviewed by his legal counsel and the state attorney general, observers say he is likely to sign it.

One lawmaker said privately last week that although many of his colleagues had reservations about the bill, they felt pres-

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The Legacy of 'Prich': Bluegrass-Roots Reform

By Reagan Walker

This summer, principals and teachers in nine high schools across Kentucky will begin what Robert F. Sexton calls "a little creative stirring of the pot."

They will be rethinking, with the aid of educational experts, the design and structure of their schools, from class schedule to curriculum and teaching methods.

Mr. Sexton is the executive director of the Prichard Committee for Academic Excellence, an unusually influential citizens' group that has masterminded the bottom-up reform project.

It may, he admits, be "presumptuous" for an organization like his to take on a task that "should have been done by the state education department."

But that, says he and the many admirers of his grassroots reform group, is the beauty of the Prichard Committee.

"I don't think instruments of government can respond as quickly as they need to," says Mr. Sexton, noting that the Kentucky High School Project bears many similarities to Gov. Wallace G. Wilkinson's "benchmark schools" proposal, which failed to gain passage in this year's legislative session.

John C. Wyatt/The Herald Leader

Robert F. Sexton of the Prichard Committee for Academic Excellence.

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Arts Instruction: Aims, Practices Said Divergent

Stress on Production Limiting, Study Argues

By Robert Rothman

WASHINGTON—The first Congressionally mandated study of arts education in more than 100 years has concluded that most schools fail to provide effective, basic instruction enabling students to "gain a sense of what civilization is, and how, as adults, they can contribute to it."

To do that, it argues, will take more classroom time and clearer definitions of the scope and sequence of arts instruction throughout the precollegiate grades.

The report by the National Endowment for the Arts, released here last week, says that despite recent gains in public support for such studies, there is no agreement on what a precollegiate arts program should involve.

The number of states requiring arts instruction has grown from 2 to 29 since 1980, the study's findings show, and substantial amounts of curricular time are now being devoted to the subject.

But, the report says, "there is a major gap between the stated commitment and resources available to arts education and the actual practice of arts education in schools."

"The problem is: basic arts education does not exist in the United States today," concludes the endowment's study, "Towards Civilization."

As a result, it says, "the artistic heritage that is ours, and the opportunities to contribute significantly to its evolution, are being lost to our young people."

Frank Hodsoll, chairman of the endowment, said at a press conference that though "schools are doing tremendous things" in arts education, "they have miles to go before they are done."

"What schools lack today," he said, "is a cadre of teachers who are better trained, the right kinds of materials, and, most im-

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In Houston Magnet, District 'Grows' Its Own Teachers

By Blake Rodman

HOUSTON—It's 9 A.M. and Rosa Marroquin is teaching a vocabulary lesson to a class of 1st graders at Dodson Elementary School, located in an inner-city neighborhood on this city's east side.

Her students' heads are bowed over their papers as she strides confidently up and down the rows of desks perusing the children's work and reading aloud the words they are to enter into their workbooks.

She stops for a moment beside a child who is having a problem and, squatting down to the student's level, whispers some words of encouragement.

From her mannerisms and calm demeanor, one might assume that Rosa is the regular classroom teacher.

But in an hour, she will be seated at her own desk at another school not far from Dodson where she is finishing her final year of high school.

Rosa is one of 160 high-school students enrolled in the Austin Senior High School for Teaching Professions, a pioneering magnet program launched here five years ago for students with an interest in becoming teachers.

Her teaching at Dodson is a school requirement. All seniors spend two hours a morning four days a week as interns at one of five inner-city elementary schools, putting into practice what they have learned through the four-year program and getting a taste of what teaching is really like.

Like many other school systems around the nation, the Houston Independent School District is experiencing a critical shortage of classroom teachers.

This school year, the district has operated with more than 400 unfilled teaching positions. District officials expect to have roughly 1,700 vacancies to fill by next fall.

Moreover, while the district's minority-student population is growing rapidly—particularly its Hispanic enrollment—it is

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Greg Foster

A class at Georgia Military, now the focus of a dispute over its status.

Dual Identity: Is Georgia Military College A State-Controlled or Private Institution?

By Kirsten Goldberg

In Georgia's antebellum capital of Milledgeville, a quiet town of 12,000 far from the interstates that radiate from Atlanta, an unusual school with a tangled history is stirring a debate that reaches from local parent-teacher gatherings to the halls of state government.

It is a debate that the writer Flannery O'Connor, once Milledgeville's most renowned resident, might have savored.

A "public" military academy with an Old South patina becomes the only "private" school in the state to receive state aid; some black citizens support it, others view it as a symbol of racism; it boasts powerful political supporters, who say they value its historic status; those who say it violates the laws are victims of harassment.

Earlier this year, Georgia's attorney general helped set off the current fracas by ruling that the predominantly white Georgia Military College, located in predominantly black Baldwin County, should be classified as a public school, even though it charges $1,548 a year in tuition.

That ruling pitted prominent friends and alumni of the 109-year-old Milledgeville school against community activists who claim the military school is a glorified seg-

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Also in the news

7 **Demystifying School Art**
In Virginia Beach, Va., the subject is not just a creative happening, but a discipline with a sequenced curriculum.

9 **Recognition or Report Card?**
New Jersey districts are withholding information from an awards program because of fears it will be used to rate them.

17 **An Anglo-Saxon Critique**
A troupe of visiting British educators share their thoughts on school reform—American and cross-Atlantic.

IN SUMMARY

'Understanding AIDS'
In an unprecedented mass mailing, the U.S. Department of Health and Human Services plans to send a candid brochure on AIDS to every American household over the next six weeks. **Page 5.**

Holding Back on Scores
Some New Jersey superintendents are refusing to provide students' admissions-test scores to the state education department because they fear the data will be used for district "report cards." **Page 9.**

Higher Taxes in Illinois?
Armed with a survey showing strong support for more education funding in Illinois, Gov. James R. Thompson has said he will support a "modest tax increase," much of which would go to schools. **Page 9.**

Enrollment 'Roller Coaster'
A new study projects that the number of high-school graduates will drop after this year and through the mid-1990's, then rise by the year 2004 to a level 10 percent higher than in 1986. **Page 10.**

Backing Down on Reviews
New legislative language backed by the Education Department has squelched the agency's controversial plan to review National Diffusion Network programs for "appropriateness." **Page 16.**

Getting Tough on Student Aid
Secretary of Education William J. Bennett has proposed legislation that would impose stricter rules on students, lenders, and postsecondary schools participating in federal financial-aid programs. **Page 16.**

A Bipartisan 'Crusade'
A "crusade for civil rights" launched by a bipartisan group of federal lawmakers is seeking to expand existing laws to bar all forms of discrimination against the handicapped. **Page 16.**

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ACROSS THE NATION

STATES

Agreement Ends Michigan Case Over Religious-School Data

Two fundamentalist Christian schools in Michigan have forged an agreement with the state education department that will bring to an end their eight-year legal fight to withhold information on school staffing and other matters.

The Sheridan Road and Bridgeport Baptist schools agreed to file information required by the state on enrollment, curriculum, and teacher qualifications with a third party—the schools' lawyers or a school association—which will then turn the information over to the department.

The policy would also apply to about 100 other private schools that have not reported to the department. A department spokesman said at least 50 of the schools have indicated they would abide by the policy.

The two schools filed a suit in 1980, charging that the state law requiring the reporting of such information and the certification of teachers violated the schools' religious freedom.

The case went to the U.S. Supreme Court, which let stand state-court decisions upholding the regulations.

When the department receives the information on the schools' teachers, it will review it to see whether they are eligible for "emergency" licenses, which require only a bachelor's degree.

The Michigan Association of Christian Schools, at a meeting last month, decided not to take a position on the agreement, saying the decision on whether to abide by the policy is up to individual schools.

Schools that do not report information and are found to be out of compliance with the certification law will be subject to legal action, the department spokesman said.

■ **The Minnesota State High School League has rejected a proposal that would have barred foreign students from competing in varsity sports events.**

The proposal was introduced last fall by parents who felt that foreign-exchange students were displacing local students on high-school teams. The rule also could have applied to students participating on debate teams and in music and drama clubs.

DISTRICTS

Oklahoma Union Officials Resign Amid Reports of Illegal Voting

The presidents of the Oklahoma and Oklahoma City affiliates of the American Federation of Teachers have resigned in the wake of local press reports that they voted illegally in a recent school-board election.

Both Ted Metscher, president of the local affiliate, and Joel Robison, president of the state organization, had acknowledged that they registered to vote under the address of the local union headquarters so that they could vote in the election. Neither of the men live in the voting district where the election was held.

Under Oklahoma law, citizens can cast ballots only in the district where they live.

According to Anthony DeGiusti, the newly appointed president of the Oklahoma City Federation of Teachers, the union had strongly opposed the incumbent school-board member running for re-election in the subdistrict of the school system where the union office is located.

Mr. Metscher and Mr. Robison "got overzealous and made a mistake," he said. "They both regret it."

He noted that two local teachers—Georgia Ianello, a former president of the local, and Donna Robison, Mr. Robison's wife—also used the union address to vote in the election.

As of last week, no criminal charges had been filed against the four individuals. But a spokesman for the Oklahoma State Bureau of Investigation said the agency was investigating the matter at the request of the local district attorney.

New Milwaukee Policy Will Gauge Effectiveness of 'Add-on' Programs

Under a new policy adopted by the Milwaukee school system, the fate of some of the district's most popular special programs will be determined for the first time by how well they work.

The policy seeks to link evaluations of 11 "add-on" programs—including driver's education, bilingual education, and projects designed to serve disadvantaged students—to the district's budget process.

"It's kind of a tightening up or quality control," said William Larkin, the assistant superintendent in charge of curriculum and instruction.

He said the evaluations would range from in-depth studies conducted by the school system's research staff to shorter analyses by the curriculum specialists in charge of the programs. Some programs may be further evaluated by independent consultants, he added.

The completed evaluations will be provided to school-board members later this month as they begin deliberating on the proposed 1988-89 budget.

The critiques "will help them decide whether to continue a program, modify it, or end it," Mr. Larkin said.

White Ohio Teacher Wins Damages In Suit Charging Race, Age Bias

A high-school English teacher in Xenia, Ohio, has been awarded $260,000 in damages, after a federal jury found that he had been discriminated against on the basis of his race and age when applying for a series of jobs.

Making Teacher's Blood Boil

The evidence is in. Teaching has, in fact, been found to be a stressful job.

The prize-winning research that supports a theory long advanced by many of the more harried members of the profession was conducted by Lee Singleton, an inquisitive 5th grader at Riverview Elementary School in Titusville, Fla.

For his school science-fair project, Lee set out to determine if working with children causes teachers' blood pressure to rise. He collected his data by taking the blood-pressure readings of eight teachers at the beginning and end of a typical school day and comparing them with the readings of eight adults in professions that do not involve interaction with children.

Findings at the conclusion of the two-week study showed that teachers' blood pressure went up by at least 10 points during the day—twice as much as the control groups' did. The results came as no surprise to the budding scientist, who hypothesized that "working with children causes teachers to have high frustration levels."

When asked what other factors might play a role in teachers' rising blood pressure, the 5th grader speculated that "caffeine has something to do with it, too" because teachers tend to drink a lot of coffee during breaks. But, whatever the frenzied state of Lee's own teachers by the study's end, the project earned him an A and first prize at the Riverview science fair.

Peter Steiner

The judges may have been grateful that he did not follow through on his original research proposal—to test how long it takes for a teacher to become aggravated by a student. —J.W.

Arts Instruction: 'Major Gap' Between Aims and Practices

Continued from Page 1

portant, the development of a consensus about the minimum knowledge and skills every student graduating from high school ought to have in the arts."

To improve instruction, the report urges state and local officials to work toward agreement on content and to implement sequential, K-12 arts curricula for all students. Such curricula should include instruction in art history and criticism as well as art production, it says.

Instruction in the arts should constitute 15 percent of the school week in elementary and middle schools, according to the report, and high schools should require that all students complete two years of art, even if this means lengthening the school day.

The report also recommends that the National Assessment of Educational Progress resume testing students' knowledge and skills in the arts; that districts develop comprehensive testing programs to evaluate student progress; and that state agencies strengthen teacher-certification requirements for art specialists and elementary teachers.

While most of the reforms will take place at the state and local levels, Mr. Hodsoll said, the N.E.A. will begin a campaign to generate support for the report's proposals. He noted that the endowment will launch a series of public hearings on the issue this week in St. Louis.

In addition, the report proposes that the endowment issue a follow-up report in the mid-1990's that would outline how its recommendations have been implemented.

Not All Bleak

The endowment's study follows a number of reports issued in the past two years—such as "American Memory," the Congressionally mandated study of humanities education released last summer by the National Endowment for the Humanities—that have warned that schools have failed to develop students' "cultural literacy."

Unlike the N.E.H. report, which painted a bleak picture of humanities instruction in schools, "Toward Civilization" notes several encouraging developments in arts education.

The study found, for example, that in addition to the increase in graduation requirements:

- There are almost as many music and visual-arts teachers in schools as science teachers;
- The amount of time allocated to arts instruction averages 12 percent of classroom time for most students in grades K-6, and 17 percent for most students in grades 7 and 8.

In addition to pointing out these positive trends, the report also highlights a number of examples of schools and districts that have developed high-quality arts programs.

It says, however, that "these developments have not resulted in basic arts education," which the report defines as the ability of all students to understand civilization, to develop creativity, to learn the tools of communication, and to discern quality in artistic products.

The lack of a basic arts program has been a continuing feature of American schooling, the report says, noting that "this condition of arts education is no worse now than it has been."

"The vast majority of today's adults say they had no real education in the arts when they were in school," it says. "Then as now, resources for arts education were used primarily to produce performances and exhibitions by talented and interested students for the enjoyment of parents and the community."

"They are not being used to help young people move toward civilization," it states. "This is a tragedy, for the individual and the nation."

'Basic, Sequential' Program

In analyzing the causes of this condition, the endowment notes that educators lack a consensus "on what constitutes a comprehensive, basic, sequentially structured arts-education program for K-12 students."

Many official efforts to boost arts education—such as Secretary of Education William J. Bennett's model high-school curriculum, which would require one-semester courses in art and music history, and state legislation making arts instruction a requirement for graduation—have failed to define such a program, the report says.

While Secretary Bennett's proposal would "fill a gap" caused by schools' over-emphasis on performance and production, it does not address theater, dance, design, and the media arts, the report notes.

And although 29 states require arts instruction in high schools, it says, only 9 make arts mandatory for all students, and 13 require arts only as an alternative among other subjects, such as foreign languages or computer science.

State curriculum guides also fail to outline a comprehensive course of instruction in the arts, according to the report.

"Our review of state curriculum guides indicates that the broad learning goals stated in the guides are generally well balanced," it says. "The problem is that the specific learning objectives do not reflect the balance contained in the goals."

"Rather," it adds, "they tend to emphasize . . . learning the elements of the art forms over study of works of art."

Testing, Teacher Preparation

In addition to the lack of agreement on curricula, progress is hampered by a scarcity of data on student achievement and program effectiveness.

To remedy this, the endowment proposes, in one of its most controversial recommendations, that NAEP and local districts test students' knowledge and skills in the arts.

The assessment included a music test in 1971 and 1979, and a visual-arts examination in 1974 and 1979.

"Without the information provided by testing," the report argues, "it is impossible to judge whether or not arts-education programs are as effective as they should be, or to identify those teaching practices that should be continued and those that should be eliminated."

The endowment also urges state teacher-certification agencies to strengthen preparation requirements for arts teachers.

Citing a survey by the Education Department, the report notes that nearly half of all elementary schools have no visual-arts specialists and that 16 percent have no music specialists.

Thus, it says, much instruction is left to classroom teachers, who are often poorly trained in the arts.

"As recently as 1984," the report states, "only 26 states or special jurisdictions reported having requirements for specific hours or units in the arts for certification of classroom teachers."

But the emphasis in teacher-preparation programs on art production, it warns, also means that most specialists may be ill-prepared to teach a comprehensive art program.

"If arts education is to provide an understanding of the artistic heritage, as stipulated in most state curriculum guides, teacher-preparation programs must provide more training in the historical/critical aspects of the arts," it states.

'Making the Case'

The report urges the arts community and businesses to work with educators to convince policymakers that a strengthened arts-instruction program is essential.

"Making the case for arts education to state and local leadership is a political job requiring greater effort than for school subjects that large segments of the public perceive as basic," it points out.

The national endowment should also step up its efforts in this area, the report proposes. While in fiscal 1988 the N.E.A. will provide $5.5 million for arts education, it says, this amount—3.3 percent of the agency's budget—is much smaller than the amount spent on education programs by the National Endowment for the Humanities and the National Science Foundation.

The mailing address for ordering copies of the report is: "Toward Civilization," Public Information Office, National Endowment for the Arts, 1100 Pennsylvania Ave., N.W., Washington, D.C. 20506.

photos: Robert Rothman/Education Week

Frank Hodsoll, above right, chairman of the National Endowment for the Arts, has called for better-trained teachers and a consensus on an arts curriculum. Above, Cynthia Flegal with one of her students at Birdneck Elementary School in Virginia Beach, Va. The district was cited for its arts-instruction program. At right, a student copies a Georgia O'Keeffe painting.

States With Graduation Requirements in the Arts

State	Number	Subject
Arkansas*	½	Drama, music, visual arts
California	1	Fine arts (creative writing, dance, drama, music, visual arts) or foreign language
Connecticut	1	Arts (dance, drama, music, visual arts) or vocational education
Florida*	½	Fine arts (dance, drama, music, visual arts)
Georgia	1	Fine arts (dance, drama, music, visual arts), vocational education or computer technology
Hawaii	1	For academic honors only. Arts or music
Idaho	4[1]	Fine arts (creative writing, dance, drama, music, visual arts), foreign language or humanities
Illinois	1	Art, music, foreign language or vocational education
Indiana	2	For students seeking an honors diploma
Louisiana	½	For students in the Regents Program (typically the college bound)
Maine	1[1]	Fine arts (dance, drama, music, visual arts) or forensics
Maryland*	1[1]	Fine arts (dance, drama, music, visual arts)
Missouri*	1	Music or visual arts
New Hampshire*	½	Arts education (art, music, visual arts, dance, drama)
New Jersey	1	Fine arts, practical arts or performing arts
New Mexico	½	Fine arts (visual arts, music, dance, drama), practical arts or vocational education
New York*	1[2]	Dance, drama, music, or visual arts
Nevada	1[3]	Fine arts or humanities
North Carolina	1	For students enrolled in the Scholars Program
Oregon	1	Music, visual arts, foreign language or vocational education
Pennsylvania	2	Arts (dance, drama, music, visual arts) or humanities
Rhode Island	½	For college-bound students only. Dance, drama, music or visual arts
South Dakota*	½	Fine arts (dance, drama, music, visual arts)
Tennessee	2	For students seeking an honors diploma
Texas	1	For advanced academic-program students only. Drama, music or visual arts
Utah	1½	Dance, drama, music, or visual arts
Vermont*	1	General arts, dance, drama, music or visual arts
Virginia	1[1]	Fine arts (art, music, dance, theater) or practical arts
West Virginia	1	Music, visual arts or applied arts

* States that require some study of the arts by every high-school student.
[1] Effective 1988
[2] Effective 1989
[3] Effective 1992

Shift in Number of Graduates Seen

The number of high-school graduates nationwide will rise, fall, and then rise again in "roller coaster" fashion between now and the beginning of the next century, according to the projections contained in a new study.

The report by the Western Interstate Commission for Higher Education projects a net gain of 10 percent in high-school graduates between 1986 and the year 2004. The projections are based on both public- and private-school enrollments in the 50 states and in the District of Columbia.

But these national figures, it says, mask important regional differences that will mean overall losses for states in the Northeast and North-central regions, and increases for Western and Southern states that are greater than the national average.

According to the report, the number of graduates nationally will increase through this year, before dipping sharply and staying at low levels through the mid-1990's. The number will then rise steadily through the beginning of the next century, reaching 2.91 million graduates by 2004.

The report, which is the third such project undertaken by WICHE, indicates that national graduation patterns between 1986 and 2004 will mirror the up-and-down cycle of school enrollments since the 1970's, when the last "baby boom" children graduated from high school.

There will be a 4 percent increase in the number of public- and private-school graduates between 1986 and 1988, it shows. But during the following four years, the figure will drop by 12 percent. By the year 2004, however, the number of high-school graduates will exceed the 1986 level by 10 percent.

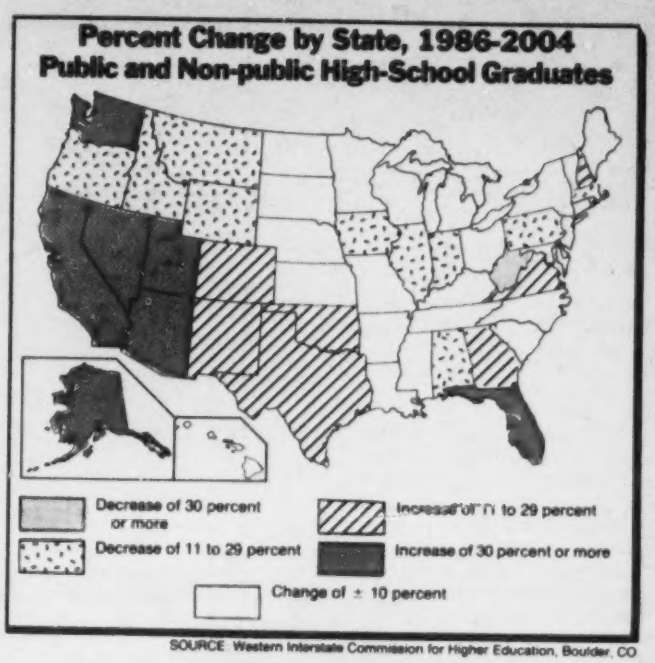
The study, which was also sponsored by the College Board and the Teachers Insurance and Annuity Association, projects that states in the West and the South/South-central regions of the country will have increases in the number of graduates of 47 percent and 16 percent, respectively, by 2004.

Alaska and Nevada may double the number of students they graduate from high school by 2004, according to the report. Other states projected to have significant gains are Arizona, California, and Florida.

The Northeast and North-central parts of the country, on the other hand, will lose students, with West Virginia, Iowa, Idaho, and Wyoming projected to have significant decreases by 2004.

The study, which was based on demographic data and past school-enrollment and graduation statistics, also projects that number of private-school graduates nationwide will decrease by 17 percent by the year 2000.

Copies of the report, "High School Graduates: Projections by State, 1986 to 2004," are available for $10.00 each plus a $2.00 handling charge from WICHE, P.O. Box Drawer P, Boulder, Colo. 80301-9752. —E.F.


Percent Change by State, 1986-2004
Public and Non-public High-School Graduates
Decrease of 30 percent or more
Decrease of 11 to 29 percent
Increase of 11 to 29 percent
Increase of 30 percent or more
Change of ± 10 percent

SOURCE: Western Interstate Commission for Higher Education, Boulder, CO

PUBLIC AND NON-PUBLIC HIGH-SCHOOL GRADUATES BY STATE 1986 (Actual), 1992 to 2004 (Projected)

State	1986	1992	1998	2004
Alabama*	42,855	39,800	39,659	37,305
Alaska	5,574	6,197	9,271	11,003
Arizona	28,408	31,080	41,944	39,910
Arkansas	27,032	26,726	28,234	28,032
California	252,150	251,356	330,463	410,285
Colorado*	35,079	32,599	39,159	42,469
Connecticut	37,820	29,719	32,232	36,429
Delaware	7,951	6,937	8,096	7,658
District of Columbia*	4,862	3,976	3,849	4,556
Florida	92,536	96,709	115,512	151,090
Georgia*	63,272	61,625	75,677	82,040
Hawaii	12,488	11,686	12,168	12,508
Idaho	12,311	11,526	11,984	9,526
Illinois	132,770	114,923	120,761	111,856
Indiana	85,230	81,218	94,444	87,767
Iowa	37,345	30,788	33,832	28,293
Kansas	27,195	25,671	31,055	29,731
Kentucky	41,370	36,692	41,554	37,548
Louisiana	46,766	41,494	45,490	46,079
Maine	14,773	13,533	14,014	14,468
Maryland	53,438	43,539	50,615	56,328
Massachusetts	72,425	55,444	57,769	63,579
Michigan	117,926	102,686	111,201	108,738
Minnesota	56,149	49,837	60,360	58,721
Mississippi*	27,423	25,073	28,705	25,211
Missouri	54,867	52,082	58,519	57,048
Montana*	10,079	9,086	9,947	8,694
Nebraska	19,814	18,210	19,727	17,778
Nevada	8,821	9,887	13,555	18,450
New Hampshire	12,520	11,359	13,714	15,282
New Jersey*	94,720	76,401	82,122	91,596
New Mexico	16,885	16,709	20,102	21,020
New York	192,593	158,846	169,264	186,799
North Carolina*	68,678	63,676	64,829	68,036
North Dakota	8,149	7,669	8,218	7,486
Ohio	132,805	121,401	133,823	120,190
Oklahoma	35,048	33,666	39,094	38,912
Oregon	27,746	24,968	26,747	23,302
Pennsylvania	145,005	119,577	130,177	129,396
Rhode Island	10,676	8,702	10,123	10,589
South Carolina*	35,650	36,111	36,734	37,902
South Dakota	8,382	7,559	9,483	8,273
Tennessee*	46,162	46,305	47,829	46,499
Texas*	170,194	181,144	209,371	207,630
Utah	20,073	25,370	33,077	29,590
Vermont	6,795	6,146	7,081	7,436
Virginia*	67,093	64,289	79,792	92,311
Washington	48,735	45,846	56,523	67,177
West Virginia	22,546	20,983	19,373	15,427
Wisconsin	64,522	53,930	62,177	59,308
Wyoming*	5,758	5,783	5,404	4,764
U.S. Total	2,559,442	2,441,054	2,777,158	2,912,864

NOTE: Figures presented here are combined (public and non-public) graduates.
* Designates those states for which non-public enrollments by grade level and high-school graduates were not available. Combined totals for these states contain an estimate of non-public high-school graduates for 1986 through 2004.
SOURCE: Western Interstate Commission for Higher Education.

Tenn. Approves Student Drug-Test Bill

Continued from Page 1

sured to vote for it because this is an election year. The measure's sponsors, he contended, had characterized the issue as "simply being for or against drugs in schools."

The bill was approved by votes of 61 to 21 in the House and 27 to 0 in the Senate on the final day of the legislature's session.

It has been vigorously opposed by the American Civil Liberties Union, which says it may file suit challenging the law's constitutionality once a testing program has been adopted by a district.

A federal judge in Arkansas and a state judge in New Jersey have struck down district-level policies requiring all of a school's students to submit to urinalysis, saying they violated pupils' Fourth Amendment right to be free from unreasonable search and seizure.

But in February, a federal judge upheld an Indiana district's testing requirement directed primarily toward athletes, holding that participation in extracurricular activities is not a constitutionally protected right.

In a 1985 case, *New Jersey* v. *T.L.O.*, which involved a search of a student's purse that turned up evidence of drug use, the U.S. Supreme Court held that school officials may search students if they have "reasonable suspicion" that a school rule has been broken. But it added that such searches cannot be "excessively intrusive in light of the student's age and sex and the nature of the infraction."

Next fall, the High Court will hear arguments in a case challenging drug-testing policies that affect public employees, such as teachers.

Bill's Provisions

Under the Tennessee measure, districts would not be forced to adopt drug-testing policies, but rather would be allowed to approve them if they wished. Students would have to be notified in writing at the time of enrollment that they could be subject to drug testing.

The bill stipulates that a student could be required to submit urine for testing only under the following "standards of reasonableness":

- A school policy has been broken.
- The test will produce evidence that a rule has been broken "or will establish that a student either was impaired due to drugs or did not use drugs."
- The test advances the state's interest in maintaining order and discipline in schools.
- The test result will not be used in a criminal prosecution.
- The test is conducted in the presence of a witness.

Principals would have to notify at least one of the student's parents before the procedure, but would not have to obtain their consent. An accredited laboratory would have to conduct the tests, and a sample testing positive for the presence of drugs would have to be re-analyzed using a more sophisticated testing procedure to ensure against a false result.

The bill would leave it to districts to decide how to discipline students whose urine tests were positive. But it stipulates that those testing positive would have to be provided with drug counseling. Negative results would have to be expunged from the student's record.

Opposing Views of Law

Hedy Weinberg, executive director of the Tennessee branch of the A.C.L.U., contended last week that the bill is so broadly worded that it would permit principals to force students to undergo testing "simply because they dress funny, have unusual hairstyles, or are 'troublemakers.'"

"Unfortunately, we think we'll see a lot of abuses under this policy," Ms. Weinberg said. "There is no question that a student should not be arbitrarily identified and forced to take a test, and this bill has the potential of doing just that."

That assessment was sharply disputed by state Senator Tommy Burke, the bill's chief sponsor in the Senate.

"The whole thrust of this legislation is to give the folks who run the schools the ability to control drugs in their schools," he said. "I worked very closely with the state attorney general and he says this is a bill that he can defend in court if it comes to that."

Officials in Attorney General Michael Cody's office did not respond to a request for comment on Mr. Burke's assertion.

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